

VZCZCXYZ0055
PP RUEHWEB

DE RUEHNR #2509/01 1581348
ZNR UUUUU ZZH
P 071348Z JUN 06
FM AMEMBASSY NAIROBI
TO RUEHC/SECSTATE WASHDC PRIORITY 2291
INFO RUEHPNH/NVC PORTSMOUTH 0262
RUEHAE/AMEMBASSY ASMARA 4804
RUEHDS/AMEMBASSY ADDIS ABABA 8575
RUEHDJ/AMEMBASSY DJIBOUTI 4240
RUEHLGB/AMEMBASSY KIGALI 4415
RUEHKI/AMEMBASSY KINSHASA 1733
RUEHPC/AMEMBASSY LOME 0561
RUEHDR/AMEMBASSY DAR ES SALAAM 4687

UNCLAS NAIROBI 002509

SIPDIS

SIPDIS

DEPT FOR AF/CA
DEPT FOR CA/FPP, CA/VO, CA/P
DEPT FOR DS/IP/AF
DEPT FOR DS/CR/VF
PASS TO KCC
PASS TO INL/HSTC
POSTS FOR FRAUD PREVENTION MANAGERS

THIS CABLE IS SENSITIVE BUT UNCLASSIFIED

E.O. 12958: N/A

TAGS: KFRD ASEC CVIS CPAS CMGT KCRM KE

SUBJECT: DIVERSITY VISA FRAUD - OPERATION GHOST MARRIAGE

REF: ADDIS ABABA 1476

¶1. (SBU) SUMMARY: On June 2 Post culminated over six months of investigations into a marriage fraud ring with the arrest by Kenyan authorities of over 70 Diversity Visa applicants. Simultaneous arrests and searches in other locations revealed a criminal ring was involved in matching Kenyan applicants in fraudulent relationships for the sole purpose of immigration. With the assistance of Post's A/RSO-I, Kenyan authorities have begun to develop a case against the brokers for arranging sham marriages supported by genuine marriage certificates. Post continues to monitor the Kenyan Police's investigation. END SUMMARY.

POST DEVELOPS A PROFILE

¶2. (SBU) Post had for several years suspected that Diversity Visa (DV) applicants from the Kisii tribe of Western Kenya had been entering into fraudulent relationships for the purpose of immigration. The profile usually involved a principal applicant who made his original electronic submission for the Diversity Visa as a single person, and shortly after receiving word of winning that season's "lottery," became married in what other posts have described as "pop-up marriages" (reftel). In previous years, Post investigated these cases on an individual basis usually verifying documents and sometimes even sending our Investigations Assistant to do site visits. Site visits revealed no relationship, but document verification showed that the marriage documents were genuine.

¶3. (SBU) However, for the 2006 Diversity Visa season, adjudicating officers and locally engaged staff began to notice similarities between cases, which suggested a criminal ring was behind the applications. In years past, these cases had been difficult to prove, because the criminal ring or rings involved procured genuine documents to support fraudulent marriages and Post's resources were not sufficient to verify each case physically. When post began to look at these "Kisii fraud" cases in general, we

noticed the following patterns at the time of interview:

- The principal applicant was often quiet, allowing the spouse to dominate the interview.
- The contact address in the U.S. was often a friend or relative of the spouse, not the principal applicant.
- The principal applicant and the spouse often appeared to be of different social and economic backgrounds, with the principal applicant often being the poorer of the two.
- The couple could not provide any significant proof of a relationship before the date of marriage.
- Across applications, applicants responded to Stokes interview questions in exactly the same way and describing the same type of items, suggesting significant coaching.
- Across applications, applicants wore the same style of wedding rings.
- Applicants appeared physically uncomfortable with each other at the interview window, with no physical displays of affection.

CONFIDENTIAL INFORMANTS HELP A/RSO-I MAKE HIS CASE

SIPDIS

¶4. (SBU) Post's A/RSO-I began to collect cases that fit the "Kisii fraud" profile. At the same time, several confidential informants (CI's) began to walk-in and assist

SIPDIS
in the development of our case. One informant described the operation from soup to nuts, mistakenly believing that the criminal ring had a contact at KCC that was diverting Kisii applications. Further information from other informants revealed that, similar to DV scams in other countries, the criminal ring had an insider in the Kisii post office who was diverting letters issued by KCC to DV winners. His accomplices would then visit the DV winners and convince

them to enter into a sham or ghost marriage with someone they did not know.

¶5. (SBU) Of all the persons approached by this criminal ring, only one principal applicant came forward as a CI to assist with our investigation, the rest agreed to be complicit in the fraud. Information from our CI's indicated that the ring was very careful in matching principal applicants with sham spouses to the extent that they required HIV tests of applicants and spouses to ensure that they would not be found 212(a)(1)(A)(i) at the time of interview. Our information suggests that spouses involved in this fraud paid between \$4,000 and \$5,000 to be paired with DV winners by the criminal ring.

OPERATION GHOST MARRIAGE

¶6. (SBU) After building evidence, A/RSO-I received approval from Diplomatic Security to initiate Operation Ghost Marriage in which brokers from the criminal ring were caught on tape agreeing to and accepting money to set-up sham marriages with DV winners. A/RSO-I also worked with Kenyan Authorities to arrest over seventy Kisii applicants and spouses involved in these sham marriages who were simultaneous requested to return to the consular section for their "final interview." Kenyan Police continue to hold in custody two ringleaders of the operation who have both been charged with mail theft, a felony punishable by 10 years imprisonment. The 77 applicants were released on bond pending further investigations and will likely be charged with procuring false certificates of marriage, a felony offense punishable by seven years imprisonment.

MEDIA REACTION

¶7. (SBU) Initial media reaction to the arrest was factual and based on information obtained from Embassy's Public

Affairs Section. In subsequent days, media reaction became more inflammatory, erroneously stating that the arrested applicants had been released days later without charge, suggesting human rights violations. The People, a paper of questionable journalistic credibility, stated that some applicants had been tortured in the Embassy's basement for four hours preceding the 9:30am arrest. This story was particularly surprising since the Embassy does not have a basement.

COMMENT

¶8. (SBU) Post is pleased that this criminal ring has been identified and is particularly pleased with the cooperation received by Kenyan Police. Post also points out that operations such as these provide clear evidence of the benefits inherent in having an A/RSO-I attached to the consular section. Post will continue to closely monitor the progress made by Kenyan authorities with this case.

¶9. (SBU) Post also concurs with Reftel that CA should consider working on an overall solution to DV "pop-up marriages," as they are particularly prone to fraud.

BELLAMY